

REMARKS

Claims 1, 9 and 11 are amended herein and claims 14-24 are added as new claims.

Claim 1 is amended to recite the molecular weight of the novolak type resin and to include an organic undercoating layer. Support for the amendment is found, for example, on page 8, lines 4 and page 52 line 17 to page 55 line 12, and page 75, line 21 to page 76, line 4 of the specification. New claim 14 is directed to the subject matter of claim 1 and claim 9 as presented in the Supplemental Amendment filed on August 4, 2005, and new claims 15-24 correspond to claims 2-6, 8, and 10-13, respectively, except for depending directly or indirectly on claim 14. Claims 9 and 11 are amended to correct a typographical error. No new matter is presented.

Accordingly, upon entry of the Amendment, claims 1-24 will be all of the claims pending in the application.

I. Response to Claim Rejection under 35 U.S.C. § 103

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Miyake et al in view of Kitson et al.

In the Advisory Action dated April 5, 2006, the Examiner indicated that the Response and Declaration Under 37 C.F.R. § 1.132 submitted on March 20, 2006 did not place the application in condition for allowance because the evidence fails to compare the prior art resins having the same ratio of m-cresol/p-cresol as the inventive ratio of phenol/m-cresol. The Examiner further stated that the molecular weight which is operational for the invention is not recited in the claims and this further excludes Kitson et al. Finally, the Examiner stated that the

Table in the "Remarks" of the response submitted March 20, 2006 describes a multilayer structure that is not claimed and lacks the organic undercoating layer.

In response thereto, claim 1 is amended herein to recite the molecular weight of the novolak type resin and to include an organic undercoating layer as supported by the specification as mentioned above. Thus, the presently claimed invention as recited in amended claim 1 is not rendered obvious by the art of record for the reasons set forth in the Response filed on March 20, 2006, incorporated herein by reference. Claims 2-13 depend, directly or indirectly from claim 1, and are distinguished for at least the same reasons.

New claims 14-24 are directed to a positive planographic printing plate precursor comprising a hydrophilic support, and a lower layer and an image recording layer disposed on the hydrophilic support, wherein the lower layer includes a water-insoluble and alkali-soluble resin in an amount of 0.1 to 5.0 g/m², and the image recording layer includes a novolak type phenolic resin containing phenol and m-cresol as structural units, in which m-cresol is contained in an amount of 10% by mole or more of the total amount of the resin, and a light-to-heat conversion agent. The image recording layer contains a water-insoluble and alkali-soluble resin other than the novolak type phenolic resins selected from the group consisting of a polyamide resin, an epoxy resin, an acetal resin, an acrylic resin, a methacrylic resin, a styrene based resin and a urethane resin. The art of record does not teach or suggest a positive planographic printing plate precursor having these features and therefore claims 14-24 are not rendered obvious.

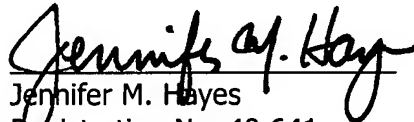
Accordingly, Applicants respectfully request withdrawal of the §103 rejection.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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